PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, MARCH , 28 , 19 78

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening March 28 A.D., 19 78, in Regular Session. President Samuel J. Talarico in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz:

8/

BURNS ✓, HINGA ✓, HUNTER A,
MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,
ABSENT

COUNCILMAN , , ,
, , ,

The invocation was given by Kurt Schmidt - Boy Scout - Forest Park School

Received report from the City Controller for the month of February, 19 78. Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular , 19 ,
, 19 ,
Special , 19 ,
Session having been delivered to the Council, were, on motion, approved and published.

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, TO BE HELD MONDAY, MAY 8, 1978 - 7:00 O'CLOCK P.M.

We, the undersigned, being all of the members of the Common Council of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council to be held on MONDAY, MAY 8, 1978 at 7:00 o'clock P.M., E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose for the Regular Common Council Meeting originally scheduled for Tuesday, May 9, 1978, 7:00 o'clock P.M., to be held on Monday, May 8, 1978 at 7:00 o'clock P.M., so as to enable the Common Council to start the first session of the C.A.T.V. Public Hearings on Tuesday, May 9, 1978.

Winfield A. Moss Jr.

James S. Stier

D. J. Schmidt

William T. Hinga

John Nuckols

Samuel J. Talarico

Vivian G. Schmidt

Frederick R. Hunter

Paul M. Burns

DATED THIS 28 day of March, 1988

Charles W. Westerman

CHARLES W. WESTERMAN
CITY CLERK

MADE A MATTER OF RECORD
DATE 3-28-78 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

MADE A MATTER OF RECORD
DATE 3-28-78 CHARLES W. WESTERMAN, CITY CLERK

March 23, 1978

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, March 23, 1978, I have approved the following ordinances passed by the Common Council at its regular meeting of March 14, 1978.

(Bill NO. A-78-02-21)
APPROPRIATION ORDINANCE NO. A-04-78

AN ORDINANCE appropriating funds from the Motor Vehicle Highway Fund to the Board of Public Works, Account No. 28-900-001, Blizzard '78 Expenses

(Bill No. A-78-02-22)
APPROPRIATION ORDINANCE NO. A-05-78

AN ORDINANCE appropriating funds from the Redevelopment District Capital Fund to the Department of Redevelopment, Account No. 44-871-267, Consultant Services

(Bill No. A-78-02-23)
APPROPRIATION ORDINANCE NO. A-06-78

AN ORDINANCE transferring certain funds from the General Fund to the Board of Public Safety, Police Department, Account No. 10-710-232, Police Academy

(Bill No. S-78-02-24)
SPECIAL ORDINANCE NO. S-34-78

AN ORDINANCE approving a contract between GT&E DATA CORPORATION and the City of Fort Wayne, by and through its Department of Public Safety, for fire protection

(Bill No. R-78-03-03)
RESOLUTION NO. R-15-78

A RESOLUTION authorizing payment to Northway Chrysler Plymouth for repair of Board of Public Safety vehicle

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(Bill No. S-77-12-35)
SPECIAL ORDINANCE NO. S-35-78

AN ORDINANCE REPEALING SECTION 13 AND SECTION 25 OF SPECIAL ORDINANCE NO. S-567-67 AND ENACTING IN ITS PLACE A NEW ORDINANCE ESTABLISHING AND CHANGING THE NAME OF A CERTAIN STREET

(Bill No. Z-78-01-07)
ZONING MAP ORDINANCE NO. Z-06-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M7

(Bill No. Z-78-01-30)
ZONING MAP ORDINANCE NO. Z-07-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q 10

(Bill No. Z-78-01-31)
ZONING MAP ORDINANCE NO. Z-08-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S 14

(Bill No. R-78-02-31)
(AS AMENDED)
RESOLUTION NO. R-14-78

A RESOLUTION CONCERNING THE SOUTH-EAST BYPASS AROUND THE CITY OF FORT WAYNE.

Respectfully yours,

Robert E. Armstrong

Robert E. Armstrong
Mayor

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

March 27, 1978

MADE A MATTER OF RECORD
DATE 3-28-78 CHARLES W. WESTERMAN, CITY CLERK

To the Common Council
Gentlemen and Mrs. Schmidt:

With reference to the attached letter from the Department of Labor, my scheduled meeting to appear before the Common Council on March 28, to discuss CETA will have to be postponed until a later date.

Sincerely,

Robert E. Armstrong
Mayor

REA/vrr

Attachment

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U. S. Department of Labor

Employment and Training Administration
230 South Dearborn Street
Chicago, Illinois 60604

March 22, 1978

Honorable Robert Armstrong
Mayor of Ft. Wayne
Mayor's Office
City-County Building
One Main Street
Ft. Wayne, Indiana 46802

Dear Mayor Armstrong:

I regret my inability to attend our meeting Monday, March 27, 1978, as planned and I do appreciate your willingness to meet Tuesday, March 28. While your meeting with the Ft. Wayne City Council to discuss the Ft. Wayne Area Consortium was to be March 28, I believe more information can be transmitted to the Council if the meeting takes place after ours.

Your cooperation is appreciated.

Sincerely,

Richard C. Gilliland

RICHARD C. GILLILAND
Regional Administrator

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

MADE A MATTER OF RECORD
DATE 3-28-78 CHARLES W. WESTERMAN, CITY CLERK

VETO MESSAGE

I hereby veto amended Ordinance No. X-77-05-24 for the following reasons:

This ordinance must be vetoed because of City Council's amendment to delay the effectiveness of the annexation for a four-year period. There is no logical reason for delaying the annexation of an urbanized and commercial area surrounded on three of its four sides by the present City limits. The amended ordinance with its four year delay is an irresponsible act which would limit any growth to the City of Fort Wayne during that period of time.

Delaying annexation of urbanized areas to the City of Fort Wayne penalizes each and every taxpayer of the City of Fort Wayne. The loss of revenue is not merely the loss of the tax from the area not annexed, but it is a loss due to the fact that much of the City income is based upon the City's population, i.e. the cigarette tax which goes to the cumulative capital improvement fund is based upon the City of Fort Wayne's population in relation to the population of all other cities and towns in the State of Indiana. The alcoholic beverage tax paid to the City is based upon the City's population. Gasoline tax of the State, through the Motor Vehicle Highway Funds, is likewise based upon Fort Wayne's population. The local road fund and street fund is 60% based upon population and 40% based upon the miles or road within the City. Since the amended ordinance delays annexation beyond 1980, the date of the next census, the penalty to each and every taxpayer of the City of Fort Wayne will be felt for a long period of time and the City will suffer substantial loss of revenues for a period of time much longer than the four year delay in the amended ordinance.

The amendment delaying annexation sets a dangerous and illogical precedent for the many urbanized areas adjacent to our City which are indeed a part of our community and which you as

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responsible representatives of the citizens and tax payers of our community must now ask to share in the cost of maintaining a viable and progressive community.

Those councilmen who voted to amend this ordinance have set an example indicating their willingness to abandon the citizens of Fort Wayne in exchange for their own perceived political gains. I submit to those councilmen who have amended this ordinance that the 30 pieces of silver in the form of their own political gains will prove to be as valueless as it was some 2000 years ago.

I call upon your concern for those that you represent, for the taxpayers of the City of Fort Wayne, and for all of the citizens of our community to commence forthwith on an effective annexation program keeping Fort Wayne growing and moving forward.

Signed this twenty-seventh day of March 1978.

Robert E. Armstrong
Mayor

REA/vrr

CITY CONTROLLER'S AND CITY TREASURER'S FINANCIAL STATEMENT

FEBRUARY, 1978

INVESTMENTS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE & RECEIPTS	TOTAL DISBURSED 1978	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
(12)UTILITIES - ELECTRIC	4,200,000	3,400,000	800,000	2,700,000	3,450,000	6,150,000	4,250,000
(13)UTILITIES - WATER	950,000	350,000	600,000	150,000	500,000	650,000	1,100,000
(14)UTILITIES - SEWER	6,550,000	2,450,000	4,100,000	3,450,000	1,900,000	5,350,000	6,000,000
(18)RED. WEST MAIN	1,200,000	200,000	1,000,000		200,000	200,000	1,200,000
(20)AVIATION	300,000	200,000	100,000				100,000
(21)PARK GENERAL	275,000	150,000	125,000	150,000	150,000	300,000	275,000
(22)PARK TRUST	210,000	110,000	100,000				100,000
(26)RED. DIST. BOND	100,000		100,000				100,000
(28)M.V.H.	500,000	100,000	400,000				400,000
(32)PARKING ADMINISTRATION	75,000		75,000				75,000
(34)REVENUE SHARING	100,000	100,000		100,000		100,000	
(38)L R & S	800,000	400,000	400,000				400,000
(44)RED. DIST. CAPITAL	250,000	250,000			200,000	200,000	200,000
(54)FORT WAYNE FIREFIGHTING	100,000		100,000				100,000
(55)PARK CUM.	160,000		160,000				160,000
(80)STREET BOND FUND	300,000		300,000				300,000
(99)INVESTMENTS	4,400,000	1,400,000	3,000,000	2,400,000	700,000	3,100,000	3,700,000
TOTAL	20,470,000	9,110,000	11,360,000	8,950,000	7,100,000	16,050,000	18,460,000

MADE A MATTER OF RECORD
DATE 3-28-78 CHARLES W. WESTERMAN, CITY CLERK

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF FEBRUARY , 1978

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
GENERAL FUND	1,137,520.91	260,247.74	1,397,776.65	1,226,267.95	1,346,959.02	2,573,226.97	50,817.63
CIVIL CITY PAYROLL FUND-1978	50,198.69	1,284,324.82	1,334,523.51	1,231,179.94	1,229,323.39	2,461,002.33	104,760.12
UTILITIES-ELECTRIC	72,751.77	3,717,664.28	3,790,416.05	2,984,560.02	3,755,229.93	6,740,312.25	5,604.78-
UTILITIES-WATER	6,974.65-	983,224.16	976,249.51	976,024.46	939,513.51	1,915,537.97	36,736.00
UTILITIES-SEWER	173,314.63	2,978,738.24	3,152,052.87	4,102,408.23	2,916,654.32	7,019,062.55	235,389.55
CIVIL CITY PAYROLL FUND-1977	20,500.86-	52.55	20,448.31-	581,717.29	0.00	581,717.29	20,448.31-
COOPER TRUST FUND	64.24	1,592.85	1,657.09	1,428.00	1,592.85	3,020.85	63.24
R-51 ANTHONY WAYNE BANK	100,697.31	0.00	100,697.31	109.38	100,117.50	100,226.88	8,579.81
REDEVELOPMENT/W.MAIN ST.PROJ.	69,022.66	200,000.00	269,022.66	206.50	406,620.34	406,834.84	136,760.45-
CETA	2,014,649.93	505,265.56	2,519,915.49	593,476.24	1,052,381.36	1,645,857.60	1,467,534.13
AVIATION	267,201.32	343,560.92	610,762.24	72,116.10	299,365.32	371,477.42	311,344.92
PARK GENERAL	157,313.64	168,674.76	325,988.40	366,715.32	390,985.32	757,700.64	64,996.92-
PARK TRUST	2,721.69-	121,469.02	118,747.33	5,706.59	2,551.91	8,258.50	114,105.42
REDEVELOPMENT GENERAL	9,619.61	0.00	9,619.61	4,215.71	9,013.62	12,229.33	1,609.93
R-53 REVOLVING FUND	19,779.21	4,447.03	23,197.84	4,320.79	8,606.28	12,307.47	14,171.56
REDEVELOPMENT DIST.BOND FUND	5,324.71	3,552.08	8,876.79	0.00	0.00	0.00	8,876.79
MOTOR VEHICLE HIGHWAY FUND	270,638.15	235,924.81	506,669.96	105,368.13	638,376.91	743,742.04	131,726.08-
SEWER RELIEF	10,257.62	1,953.00	12,210.62	0.00	5,000.00	5,000.00	7,210.62
E.P.A.C.C.-TUE CONTRACT	14,494.24	0.00	14,494.24	1,646.23	3,247.27	4,732.50	11,246.57
PARKING ADMINISTRATION	34,650.54	15,644.09	50,294.63	19,296.94	21,568.60	40,865.54	28,726.03
PUBLIC LIGHTING	3,939.08-	0.00	3,939.08-	0.00	983.16	983.16	4,922.24-
REVENUE SHARING TRUST FUND	1,032,956.13	100,641.67	1,133,597.80	1,664,771.02	115,871.51	1,780,642.53	1,017,726.29
L.O.I.T.	68,000.00	347,000.00	415,000.00	0.00	133,755.19	133,755.19	281,244.81
ANTI RECESSION - PROP	14,869.40	0.00	14,869.40	604.86	3,811.69	4,416.54	11,057.72
MCFARE TRUST	12,741.33	1,290.00	14,031.33	0.00	770.00	770.00	13,261.33
LOCAL ROAD & STREETS	501,316.72	408,475.74	909,792.46	26,411.67	8,983.45	35,395.12	900,806.01
MUNICIPAL UTILITIES PENSION	10,559.56	8,625.82	19,285.43	2,486.32	8,625.82	17,115.20	10,564.35
FIRE PENSION FUND	236,975.08-	11,764.02	225,207.06-	120,593.26	119,543.73	240,136.99	344,750.79-
POLICE PENSION FUND	215,775.69-	12,543.27	203,232.32-	129,120.76	128,772.65	257,893.42	332,140.52-
SANITARY OFFICERS PENSION	10,187.85	963.30	11,151.15	6,502.08	6,641.08	13,143.16	4,510.07
REDEVELOPMENT DISTRICT CAPITAL	40,282.76	367,596.72	407,879.48	11,581.50	9,632.00	21,730.50	386,147.98
CUMULATIVE CAPITAL IMPROVEMENT	127,559.58	0.00	127,559.58	294.13	0.00	294.13	127,559.58
FIRE AND EXPLOSIONS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ACCIDENT REPORT ACCOUNT	13,089.73	2,008.00	15,097.73	363.79	6,762.75	7,126.54	7,971.19
PAYROLL PENSION FUND	0.00	253,004.47	253,004.47	253,004.47	253,004.47	506,008.94	0.00
CRIME PREVENTION BUREAU TRUST	45.90	0.00	45.90	0.00	0.00	0.00	45.90
FT. WAYNE FIREFIGHTING FUND	91,855.82	0.00	91,855.82	0.00	2,524.20	2,524.20	89,331.62
PARK CUMULATIVE BLDG. FUND	3,291.84	0.00	3,291.84	0.00	0.00	0.00	3,291.84
INDIANA A-16 REDEVELOPMENT	16,116.91	0.00	16,116.91	11,500.00	15,445.50	27,045.50	3,071.41
OMNIBUS CRIME CONTROL	27,964.09	63,193.27	91,157.36	4,736.64	3,206.19	7,942.83	83,214.53
CETA PAYROLL FUND	509,428.20-	848,684.05	339,255.85	512,085.44	662,216.18	1,174,301.62	834,945.77
WORK CAR FUND	9,739.70	226.50	9,966.20	374.39	592.05	966.44	9,373.15
CITY REVOLVING FUND	76,776.00	0.00	76,776.00	0.00	0.00	0.00	76,776.00
FIRE PENSION FUND - 5/1/77	245.25	62.50	307.75	0.00	211.23	211.23	96.52
POLICE PENSION FUND - 5/1/77	3,[illegible].36	720.00	3,[illegible].36	0.00	2,192.56	2,192.56	1,[illegible].80
STREET BOND FUND/1975	28,943.34	0.00	28,943.34	0.00	0.00	0.00	28,943.34

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF FEBRUARY , 1978

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
STREET FUND RETIREMENT	155,978.31-	0.00	155,978.31-	0.00	0.00	0.00	155,978.31-
CD&G DISCRETIONARY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TITLE XX - CD&P	2,428.89	101.16	2,530.05	0.00	0.00	0.00	2,530.05
FEDERAL REVOLVING FUND	18,094.24	6,877.71	24,971.95	26,835.85	6,832.17	33,668.02	18,139.78
COMMUNITY RENEWAL PROGRAM	6,182.17-	0.00	6,182.17-	497.04	994.08	1,491.12	7,176.25-
E.D.A. GRANT	16,767.96	25,000.00	41,767.96	5,230.54	7,221.72	12,452.26	34,546.24
COMMUNITY DEVELOPMENT GRANT	82,210.06	11,024.28	93,234.34	85,284.99	145,611.83	231,496.82	52,377.49-
SENIOR CITIZENS CENTER	13,907.40	6,675.00	20,582.40	1,767.60	5,515.00	7,282.60	15,067.40
RECREATIONAL SUPPORT PROGRAM	927.43	0.00	927.43	0.00	0.00	0.00	927.43
BARN ST.RIVERBANK IMP.-CD&P	1,308.60	0.00	1,308.60	0.00	0.00	0.00	1,308.60
INVESTMENTS	4,400,000.00-	1,400,000.00	3,000,000.00-	2,400,000.00	700,000.00	3,100,000.00	3,700,000.00-
TOTALS	995,656.48	14,702,893.19	15,698,549.67	17,930,736.12	15,718,293.01	33,649,029.10	19,743.34

ADJUSTMENTS (EXPLAIN FULLY)

BALANCE (COL. 7 MUST AGREE WITH COL. 8)

RATIFICATION AND ELECTION OF APPOINTMENT
FOR PUBLIC TRANSPORTATION COMMISSION

March 28, 1978

Common Council Regular Session

The Common Council of the City of Fort Wayne, Indiana, held on the above date during the Regular Session of Common Council an election for the purpose of appointing one person to the Public Transportation Commission.

Nuckols nominated Thirman Howell and D. Schmidt nominated Ronald Plassman. Nominations were closed.

Thirman Howell	(6) Six
Ronald Plassman	(2) Two

Thirman Howell, was therefore duly elected to the Public Transportation Commission by the Common Council.

ATTEST: Charles W. Westerman
City Clerk

Made a matter of record 3-28-78 Charles W. Westerman
City Clerk

MADE A MATTER OF RECORD
DATE 3-28-78 CHARLES W. WESTERMAN, CITY CLERK

Nomination for PTC Board from D. Schmidt

Ronald William Plassman

2140 Springfield Avenue, Fort Wayne, Indiana

Age: 38 years

Married: Wife Suzanna

Son Mark age 7 years

Daughter Anne age 14 months

Graduated from International Business College in 1959.

I have been in the Abstract of Title and Title Insurance business since 1959 being a part owner of Dreibelbiss Title Company, Inc. on Court Street and majority owner of title companies in LaGrange, Noble and Steuben Counties.

Member of Trinity English Lutheran Church and presently serving as Deacon and Usher.

Member and past Director of the Business Forum of Fort Wayne.

Member of Rotary Club presently being Chairman of the Rotary Scholarship Foundation.

Member of the Board of Directors of the Kirkwood Park Community Association.

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

22 March 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-~~77-05-34~~ 77-10-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
22nd day of March, 1978.

Luben Lazoff

Luben Lazoff
Secretary

MADE A MATTER OF RECORD
DATE 3-28-78 CLERK

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

22 March 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one street vacation acted upon by the City Plan Commission at their regular meeting held November 28, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. BILL NO. G-~~77-05-34~~ 77-10-12

2. Intended Use: To implement the East Central N.D.P.

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The vacation is in order to permit the implementation of the East Central Housing Plan.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

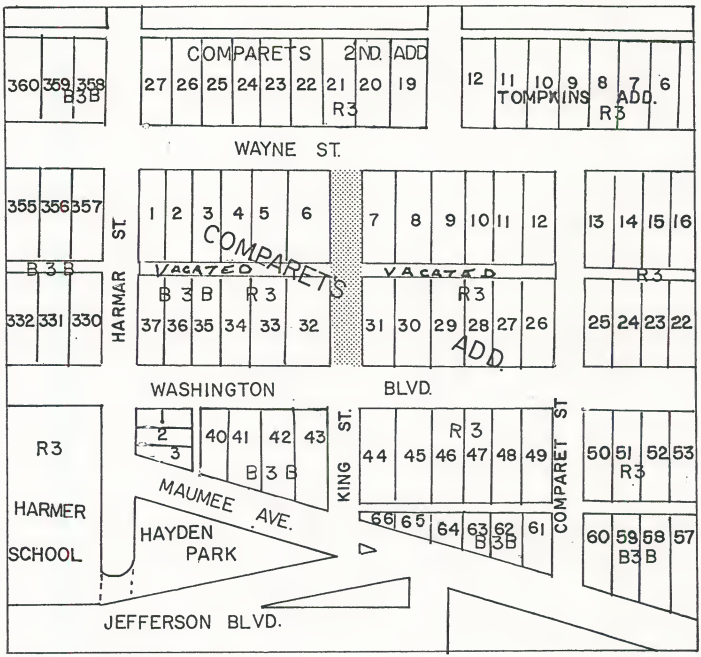
COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments



VACATE STREET

MAP NO. N6 - 06

BY M.F.C. 9-29-77

N

65-268-7 3/20/78

RESOLUTION

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated street located in Fort Wayne, Allen County, Indiana, to wit:

King Street from the South right-of-way line of Wayne Street to the North right-of-way line of Washington Boulevard.

WHEREAS, said vacation of dedicated street has been submitted to and approved by the following department of the City of Fort Wayne: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Park Board, Electrical Engineering, and through Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street, hereinbefore described be and the same is hereby approved and easement rights be retained over the entire street right-of-ways of the aforedescribed street, that the vacation of said dedicated street shall not have the effect of depriving any public utility using and occupying said dedicated public street at this time of the use of said dedicated public utility easement for the location and operation of its utility facilities.

APPROVED.

DATED THIS 22 DAY OF March, 1978

Henry Wehrenberg, Chairman

Ethel LaMar, Member

Max G. Scott, Member

Regarding: The vacation of King Street from the south property line of Wayne Street to the north property line of Washington Boulevard.

X No, we do not require an easement.

_____ Yes, we do require an easement.

_____ For existing facilities. _____ For proposed facilities.

Remarks: GAS MAIN IN this ALLEY will be retired.

NORTHERN INDIANA PUBLIC SERVICE COMPANY

BY: William Koch

743-7511 ext 265

Regarding: The vacation of King Street from the south property line of Wayne Street to the north property line of Washington Boulevard.

X No, we do not require an easement.

_____ Yes, we do require an easement.

X For existing facilities. _____ For proposed facilities.

Remarks: FACILITIES ARE IN THE EAST-WEST ALLEY XING KING ST.

GENERAL TELEPHONE COMPANY OF INDIANA

BY: C. G. WILSON JR.

Regarding: The vacation of King Street from the south property line of Wayne Street to the north property line of Washington Boulevard.

_____ No, we do not require an easement.

X Yes, we do require an easement.

X For existing facilities. _____ For proposed facilities.

Remarks: A 14' easement is needed for lines occupying the N-S alley and crossing King St.

INDIANA & MICHIGAN ELECTRIC COMPANY

BY: Wm. L. Blackburn

R E S O L U T I O N

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

> King Street from the South right-of-way line of Wayne Street to the North right-of-way line of Washington Boulevard

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 21, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said pubic street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Luben Lazoff, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held November 21, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 15th DAY OF March ,1978

FORT WAYNE CITY PLAN COMMISSION

Luben Lazoff

Luben Lazoff
Secretary

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution No. 10/78/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

William L. Kerr, Jr.

William L. Kerr,
Acting Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 3-28-78 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 10/78/E)

I hereby certify that I did this 14th day of March, 19 78 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 10/78/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Acting Chairman ~~Secretary~~ of said Board, in accordance with the provisions of Section 17-4(a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

William L. Ross, Jr.

Acting Chairman
~~EXECUTIVE SECRETARY~~

REGULATORY RESOLUTION NO. 10/78/E

(Adopted March 14, 19 78)

WHEREAS, Section 17-4(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 2/78/E:

NO PARKING 6:00 AM - 9:00 AM & 3:00 PM - 6:00 PM (EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated March 13, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 (a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective March 14, 19 78, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING 6:00 AM - 9:00 AM & 3:00 PM - 6:00 PM (EMERGENCY)

Rudisill Blvd. -- north side -- from Lillie St. to Winter St.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 11/78/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

William L. Kerr, Sr.
Acting Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE 3-28-78 CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 11/78/E)

I hereby certify that I did this 17th day of March, 1978 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 11/78/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Acting Chairman ~~Secretary~~ of said Board, in accordance with the provisions of Section 17-4(a) of Chapter 17 Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

William T. Ross Jr.

Acting Chairman ~~Executive Secretary~~

REGULATORY RESOLUTION NO. 11/78/E

(Adopted March 17, 19 78)

WHEREAS, Section 17-4(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 3/78/E:

NO PARKING (EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated March 15, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective March 17, 19 78 and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (EMERGENCY)

Brackenridge St. -- south side -- from Calhoun St. to 160 ft. west thereof

Baker St. -- north side -- from Calhoun St. to 210 ft. west thereof

Baker St. -- south side -- Calhoun St. to Clinton St.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 28th day of March, 1978 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____.

Charles W. Westerman
City Clerk